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**VIA EFILING AND HAND DELIVERY**

The Honorable Leonard P. Stark  
USDC for the District of Delaware  
844 North King Street, Unit 26, Room 6124  
Wilmington, DE 19801

**Re: *Kickflip, Inc. v. Facebook, Inc.*, C.A. No. 12-1369 (LPS)**

Dear Judge Stark:

Counsel learned last week of a factual inaccuracy that requires correction concerning the creation and execution date of the December Agreement that impacts several representations our client, Kickflip, Inc., has made to this Court and arguments that counsel has made based on those representations. We submit the accompanying two declarations to clarify and correct the factual inaccuracies for the Court. Although we do not believe the corrected testimony is directly relevant to the issue of standing (the Agreement was created and executed before the litigation commenced) we are available to address the matter further if the Court deems it necessary.

Respectfully submitted,

*/s/ Kenneth L. Dorsney*

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Enc.

cc: All counsel of record (via electronic mail w/encl)